



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NATIONAL VEHICLE AND FUEL EMISSIONS LABORATORY
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ANN ARBOR, MI 48105

July 27, 2012

OFFICE OF AIR AND RADIATION

MEMORANDUM

SUBJECT: Supplemental Comments from Daimler and Volvo

FROM: Matthew W. Spears, Office of Transportation and Air Quality

TO: Docket EPA-HQ-OAR-2011-1000

This memo describes meetings and email communications related to two separate but similar supplemental comments Daimler and Volvo submitted to EPA regarding their costs of compliance with EPA's current heavy-duty diesel engine NOx emissions standard. Note that Daimler and Volvo submitted other late comments unrelated to these meetings that are not addressed in this memo.

On Monday April 23rd, 2012 Ms. Margo Oge, Mr. Chet France, and Mr. Matt Spears of U.S. EPA's Office of Transportation and Air Quality met with Mr. Olof Persson, Mr. Jan-Eric Sundgren, Mr. Nicklas Gustavsson, Mr. Anders Hellman, and Mr. Tony Greszler of the Volvo Group in Gothenburg, Sweden to discuss EPA's heavy-duty diesel greenhouse gas standards. During this meeting the Volvo participants expressed concerns about EPA's recent regulatory action proposing nonconformance penalties for EPA's current heavy-duty diesel engine NOx emissions standard. In addition to their general opposition to the rule, they also emphasized that they believed that the penalties need to be much higher if EPA does finalize this rule. EPA suggested that Volvo submit supplemental cost of compliance data to support their concerns. EPA noted that because the close of the comment period for the proposed rulemaking had already occurred on April 4th, 2012, any submissions should be made as soon as possible.

Similarly, on Tuesday April 24th, 2012 Ms. Margo Oge, Mr. Chet France, and Mr. Matt Spears met with Mr. Andreas Renschler, Mr. Martin Daum, and Mr. Manfred Schuckert in Stuttgart, Germany to discuss EPA's heavy-duty diesel greenhouse gas standards. During this meeting Daimler expressed similar concerns about EPA's recent regulatory action proposing nonconformance penalties for EPA's current heavy-duty diesel engine NOx emissions standard. EPA also suggested that Daimler submit supplemental cost of compliance data to support their concerns. EPA noted that because the close of the comment period for the proposed rulemaking had already occurred, any submissions should be made as soon as possible.

On Friday May 11th Mr. Matt Spears had an email exchange with Mr. Tony Greszler and Mr. Jeff Marley of Volvo Powertrain to clarify what specific cost of compliance data would be preferable in any supplemental data submission.

Also on Friday May 11th Mr. Matt Spears had a similar email exchange with Mr. David Kayes, Mr. Sean Waters, and Mr. Manfred Schuckert of Daimler. In the email exchange Mr. Kayes indicated Daimler intended to submit written comments only after the Monday May 14th judicial review of the Nonconformance Penalty Interim Final Rule. Mr. Kayes also suggested a follow-up telecon. Mr. Spears agreed to have a telecon but no subsequent telecon occurred.

On June 19th Daimler provided supplemental comments on the proposed rulemaking, including comments on their costs of compliance. However, Daimler did not provide additional data. Daimler's submission to EPA is docketed as EPA-HQ-OAR-2011-1000-0043.

On July 9th Volvo provided supplemental comments on the proposed rulemaking, including comments on their costs of compliance. Volvo also submitted additional data, which was claimed as confidential business information. Volvo's submission is docketed as EPA-HQ-OAR-2011-1000-0046.